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Letter dated 24 September 2014 from the Permanent Representative of Chile to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith a written statement from the delegation of Chile (see annex) in exercise of the right of reply to the statement made on 24 September 2014 by the President of the Plurinational State of Bolivia, Evo Morales, at the sixty-ninth session of the General Assembly. I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly.

(*Signed*) Cristián **Barros**
Ambassador
Permanent Representative

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Annex to the letter dated 24 September 2014 from the Permanent Representative of Chile to the United Nations addressed to the President of the General Assembly

Reply of Chile to the statement made on 24 September 2014 by the President of the Plurinational State of Bolivia, Evo Morales, at the sixty-ninth session of the General Assembly

In his statement at the sixty-ninth session of the General Assembly, the President of the Plurinational State of Bolivia referred to the bilateral relations with Chile and his aspiration to gain sovereign access to the Pacific Ocean through Chilean territory.

In exercise of the right of reply to that statement, my delegation would like to clarify that Chile and Bolivia established their definitive borders in the 1904 Treaty of Peace and Friendship and that no territorial or border issues are pending. This Treaty was freely signed 24 years after the end of the conflict that took place between the two countries in the nineteenth century, was ratified by the parliaments of both countries, and established rights and obligations for both parties which have been respected and implemented by both States for over a century.

Under the Treaty of Peace and Friendship and legal instruments signed subsequently, Bolivia currently enjoys free transit through Chilean territory and ports on the Pacific, with customs autonomy, preferential tariffs, storage facilities, tax exemptions and free passage along all routes connected with Chilean ports, which ensure Bolivia's access to the Pacific Ocean under even more favourable conditions than those granted to Chilean or third-country nationals.

Despite the facilities, privileges and rights that Chile provides in its territory, on 24 April 2013 the Plurinational State of Bolivia filed an application with the International Court of Justice, requesting that Chile be obliged to negotiate the provision of a sovereign access to the Pacific Ocean through Chilean territory and citing the existence of negotiations on this matter as a source of this alleged obligation.

The Government of Chile, in compliance with international treaties and in exercise of the provisions made in the Rules of the International Court of Justice, decided to submit a preliminary objection to jurisdiction, a matter which is now pending resolution by the Court.

Without entering into the substance of the dispute, as it was filed with the International Court of Justice and this is not the competent forum, the Bolivian presentation of the facts seeks to disregard the provisions of the 1904 Treaty of Peace and Friendship, which have governed bilateral relations between the two countries for over a century. It is not an invitation to dialogue, as claimed by President Morales before this Assembly, but an unfriendly claim filed against the State of Chile and seeking to oblige Chile ultimately to cede sovereign territory in favour of the Plurinational State of Bolivia.

The Government of Chile reiterates its commitment to full compliance with the norms and principles of international law and existing international treaties, in particular the 1904 Treaty of Peace and Friendship, and also with the peaceful

settlement of disputes in accordance with the provisions of the Charter of the United Nations, under the principle of the free choice of means of settlement.

Chile regrets that the delegation of Bolivia persists in seeking to bring matters of a strictly bilateral nature before this forum, especially since these matters are under consideration by the main judicial body of the United Nations, and thereby distracting the General Assembly from dealing with matters for which it does have responsibility under the Charter of the United Nations.